

## § 102-34.235

(1) Establish and enforce suitable penalties against employees who use, or authorize the use of, such motor vehicles for unofficial purposes or for other than in the performance of the contract; and

(2) Pay any expenses or cost, without Government reimbursement, for using such motor vehicles other than in the performance of the contract.

### **§ 102-34.235 What does GSA do if it learns of unofficial use of a motor vehicle owned or leased by the Government?**

GSA reports the matter to the head of the agency employing the motor vehicle operator. The employing agency investigates and may, if appropriate, take disciplinary action under 31 U.S.C. 1349 or may report the violation to the Attorney General for prosecution under 18 U.S.C. 641.

### **§ 102-34.240 How are Federal employees disciplined for misuse of motor vehicles owned or leased by the Government?**

If an employee willfully uses, or authorizes the use of, a motor vehicle for other than official purposes, the employee is subject to suspension of at least one month or, up to and including, removal by the head of the agency (31 U.S.C. 1349).

### **§ 102-34.245 How am I responsible for protecting motor vehicles?**

When a Government-owned or -leased motor vehicle is under your control, you must:

(a) Park or store the vehicle in a manner that reasonably protects it from theft or damage.

(b) Lock the unattended motor vehicle. (The only exception to this requirement is when fire regulations or other directives prohibit locking motor vehicles in closed buildings or enclosures.)

### **§ 102-34.250 Am I bound by State and local traffic laws?**

Yes. You must obey all motor vehicle traffic laws of the State and local jurisdiction, except when the duties of your position require otherwise. You are personally responsible if you violate State or local traffic laws. If you are fined or otherwise penalized for an of-

## 41 CFR Ch. 102 (7-1-03 Edition)

fense you commit while performing your official duties, but which was not required as part of your official duties, payment is your personal responsibility.

### **§ 102-34.255 Who pays for parking fees and fines?**

You must pay parking fees while operating a motor vehicle owned or leased by the Government. However, you can expect to be reimbursed for parking fees incurred while performing official duties. Conversely, if you are fined for a parking violation while operating a motor vehicle owned or leased by the Government, payment is your personal responsibility and you will not be reimbursed.

### **§ 102-34.260 Do Federal employees in motor vehicles owned or leased by the government have to use safety belts?**

Yes Federal employees must use safety belts, when there is a safety belt.

## **Subpart D—Replacement of Motor Vehicles**

### **§ 102-34.265 What are motor vehicle replacement standards?**

Motor vehicle replacement standards specify the minimum number of years in use or miles traveled at which an executive agency may replace a Government-owned motor vehicle (see § 102-34.280).

### **§ 102-34.270 May we replace a Government-owned motor vehicle sooner?**

Yes. You may replace a Government-owned motor vehicle if it needs body or mechanical repairs that exceed the fair market value of the motor vehicle. Determine the fair market value by adding the current market value of the motor vehicle plus any capitalized motor vehicle additions (such as a utility body or liftgate) or repairs. Your agency head or designee must review the replacement in advance.

### **§ 102-34.275 May we keep a Government-owned motor vehicle even though the standard permits replacement?**

Yes. The replacement standard is a minimum only, and therefore, you may